

Michael Gould  
 District Clerk  
 Collin County, Texas  
 By Rosanne Summers Deputy  
 Envelope ID: 77428420

366-03629-2023

CAUSE NO. \_\_\_\_\_

NUETERRA CAPITAL, LLC	§	IN THE DISTRICT COURT
	§	
VS.	§	_____ JUDICIAL DISTRICT
	§	
PLATINUM MEDICAL	§	
MANAGEMENT, INC.	§	COLLIN COUNTY, TEXAS

**NOTICE OF FILING OF FOREIGN JUDGMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Nueterra Capital LLC ("Plaintiff") and files this Notice of Filing of Foreign Judgment and supporting affidavit.

1. This Notice of Filing of Foreign Judgment is given under §§ 35.003 and 35.004 of the Texas Civil Practice and Remedies Code.

2. Plaintiff is a Kansas limited liability company with its principal office address at 11350 Tomahawk Creek Pkwy., Ste. 200, Leawood, Kansas 66211.

3. Defendant, Platinum Medical Management, Inc., is a Texas limited partnership with a principal office address, according to filings with the Texas Secretary of State, of 709 Business Way, Wylie, Texas 75098. The registered agent for Platinum Medical Management, Inc. in the state of Texas is Brandon C. Deiters, 709 Business Way, Wylie, Texas 75098.

4. On May 3, 2023, in a case styled *Central Bank of the Midwest v. Nueterra Capital LLC v. Platinum Medical Management, Inc.*, the United States District Court for the District of Kansas, in Case No. 22-2218-JWB, signed a Judgment in a Civil Case in favor of Plaintiff and against Defendant. A true and correct copy of the Judgment is attached to this Notice as **Exhibit A**.

5. The Judgment Entry awards Plaintiff a judgment in the principal amount of \$8,113,569.14, plus post judgment interest at the contract rate of \$1,627.90 per day until judgment is paid in full.

6. The name and address of the judgment creditor is:

Nueterra Capital LLC  
11350 Tomahawk Creek Pkwy  
Suite 200  
Leawood, Kansas 66211

7. The name and address of the judgment creditor's attorney in Texas is:

Richard DeBerry  
McDonald Sanders, P.C.  
777 Main Street, Suite 2700  
Fort Worth, Texas 76102

8. Pursuant to § 35.004 of the Texas Civil Practice and Remedies Code, Plaintiff gives this notice of the filing of the above-referenced foreign judgment and asks that the Clerk of the Court file the certified and duly authenticated copy of the judgment provided under the cause number assigned to this Notice.

9. Plaintiff submits the affidavit attached as Exhibit B containing the last known post office addresses of the Judgment Debtor. Plaintiff will mail a copy of this Notice of Filing of Foreign Judgment, and a copy of the certified judgment, to the Judgment Debtor at the addresses identified in the affidavit.

Signed on this 11th day of July 2023.

Respectfully submitted,

McDONALD SANDERS,  
A Professional Corporation

By: /s/ Sarah Kline  
Richard C. DeBerry  
State Bar No. 00783948  
[rdeberry@mcdonaldlaw.com](mailto:rdeberry@mcdonaldlaw.com)

Sarah M. Kline  
State Bar No. 24110097  
[smk@mcdonaldlaw.com](mailto:smk@mcdonaldlaw.com)

777 Main Street, Suite 2700  
Fort Worth, Texas 76102  
(817) 336-8651  
(817) 347-3680 fax

ATTORNEYS FOR PLAINTIFF

# EXHIBIT A

# UNITED STATES DISTRICT COURT

District of

Kansas

## EXEMPLIFICATION CERTIFICATE

I, Skyler B. O'Hara, Clerk of this United States District Court, keeper of the records and seal, certify that the attached documents:

JUDGMENT (Doc. 73) filed 5/3/2023 as to  
Case 2:22-cv-02218-JWB-RES, Central Bank of  
the Midwest v. Nueterra Capital, LLC et al.

are true copies of records of this Court.

In testimony whereof I sign my name and affix the seal of this Court, in this District, at

Kansas City, KS

City

on 7/6/2023

Date

Skyler B. O'Hara  
Clerk

Jeffrey A. Hoken  
(By) Deputy Clerk

I, Daniel D. Crabtree, a Judicial Officer of this Court, certify that Skyler B. O'Hara, named above, is and was on the date noted, Clerk of this Court, duly appointed and sworn, and keeper of the records and seal, and that this certificate, and the attestation of the record, are in accordance with the laws of the United States.

7/6/2023  
Date

Daniel D. Crabtree  
Signature of Judge

U.S. District Judge  
Title

I, Skyler B. O'Hara, Clerk of this United States District Court, keeper of the seal, certify that the Honorable Daniel D. Crabtree, Judge

named above, is and was on the date noted a Judicial Officer of this Court, duly appointed, sworn and qualified, and that I am well acquainted with the Judge's official signature and know and certify the above signature to be that of the Judge.

In testimony whereof I sign my name, and affix the seal of this Court at

Kansas City, KS

City

in this State, on

7/6/2023

Date

Skyler B. O'Hara  
Clerk

Jeffrey A. Hoken  
(By) Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

CENTRAL BANK OF THE MIDWEST,

Plaintiff,

v.

NUETERRA CAPITAL, LLC,

Defendant/Third Party Plaintiff,

v.

PLATINUM MEDICAL MANAGEMENT, INC.,

Third Party Defendant.

U.S. DISTRICT COURT,  
DISTRICT OF KANSAS) SS:

I hereby certify that the foregoing  
is a true copy of the original on file  
in this court and cause.

SKYLER B. O'HARA, Clerk

By [Signature]  
Deputy

Dated: 7/6/2023

Case No. 22-2218-JWB

**JUDGMENT IN A CIVIL CASE**

- ☐ Jury Verdict. This action came before the Court for a jury trial. The issues have been tried and the jury has rendered its verdict.
- ☒ Decision by the Court. This action came before the Court. The issues have been considered and a decision has been rendered.

In accordance with the court's memorandum and order (Doc. 60), judgment is entered against Defendant in the amount of \$8,113,569.14.<sup>1</sup> Plaintiff is entitled to post-judgment interest at the contract rate of \$1,627.90 per day until the judgment is paid in full.

In accordance with the court's order granting Defendant's second motion for default judgment (Doc. 71) against Third-Party Defendant Platinum Medical Management, Inc ("Platinum"), judgment is entered in favor of Third-Party Plaintiff Nueterra and against Platinum in the amount of \$8,113,569.14 with post-judgment interest at the contract rate of \$1,627.90 per day until the judgment is paid in full.

<sup>1</sup> This includes the principal amount of \$8,019,150.94 plus a per diem rate of \$1,627.90 for the days between March 6, 2023, the date of the court's decision, and the date the judgment is entered, May 3, 2023.

May 3, 2023

Date

SKYLER B. O'HARA  
CLERK OF THE DISTRICT COURT

by: s/ Joyce Roach

Deputy Clerk

# EXHIBIT B



CAUSE NO. \_\_\_\_\_

NUETERRA CAPITAL, LLC	§	IN THE DISTRICT COURT
	§	
VS.	§	_____ JUDICIAL DISTRICT
	§	
PLATINUM MEDICAL	§	
MANAGEMENT, INC.	§	COLLIN COUNTY, TEXAS

AFFIDAVIT OF NAMES AND ADDRESSES

STATE OF TEXAS       §  
                                  §  
COUNTY OF TARRANT §

Before me, the undersigned authority, on this day personally appeared Sarah Kline, known to me to be a credible person competent in all respects to make this Affidavit, and who, being by me sworn upon oath, stated:

"I am Sarah Kline, an attorney for Nueterra Capital, LLC ("Nueterra"). Nueterra is the Judgment Creditor in that certain Judgment dated May 3, 2023, rendered by the United States District Court for the District of Kansas in Case No. 22-2218-JWB. An authenticated copy of the Judgment is filed this day with the Clerk in the above-captioned court pursuant to Chapter 35 of the Texas Civil Practice & Remedies Code."

1. "The name and last known post office address of the Judgment Debtor is:

Platinum Medical Management, Inc.  
709 Business Way  
Wylie, Texas 75098

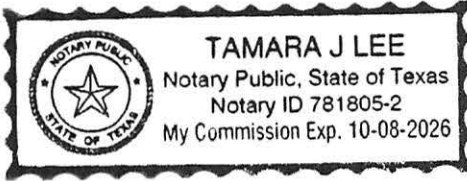
2. "The name and post office address of the Judgment Creditor is:


Nueterra Capital, LLC  
11350 Tomahawk Creek Pkwy  
Suite 200  
Leawood, Kansas 66211

FURTHER, AFFIANT SAITH NAUGHT.

  
\_\_\_\_\_  
Sarah Kline, Affiant

SUBSCRIBED AND SWORN to before me the undersigned authority on this 11<sup>th</sup>  
day of July 2023, to certify which, witness my hand and seal of office.



  
\_\_\_\_\_  
Notary Public, State of Texas

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Tamara Lee on behalf of Richard DeBerry

Bar No. 783948

tlee@mcdonaldlaw.com

Envelope ID: 77428420

Filing Code Description: Petition for Foreign Judgment (OCA)

Filing Description: Notice of Filing of Foreign Judgment

Status as of 7/13/2023 8:40 AM CST

Associated Case Party: Nueterra Capital, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Sarah M.Kline		smk@mcdonaldlaw.com	7/12/2023 8:46:04 AM	SENT
Richard C.DeBerry		rcd@mcdonaldlaw.com	7/12/2023 8:46:04 AM	SENT

**Case Contacts**

Name	BarNumber	Email	TimestampSubmitted	Status
Tamara Lee		tlee@mcdonaldlaw.com	7/12/2023 8:46:04 AM	SENT



7020 3160 0000 9237 2172



US POSTAGE  
\$ 09.24  
First-Class  
Mailed From 76102  
07/14/2023  
032A 0061861681

## First Class Mail

10407 01 (47)

### McDonald Sanders

A Professional Corporation  
ATTORNEYS AT LAW  
777 Main Street, Suite 2700  
Fort Worth, Texas 76102

Platinum Medical Management Inc  
801 S Highway 78 Ste 307  
Wylie TX 75098-4000

## First Class Mail

#### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

##### 1. Article Addressed to:

Platinum Medical Management Inc  
801 S Highway 78 Ste 307  
Wylie TX 75098-4000

10704 01 (47)



9590 9402 5892 0049 9932 22

##### 2. Article Number (Transfer from service label)

7020 3160 0000 9237 2172

#### COMPLETE THIS SECTION ON DELIVERY

##### A. Signature

**X**☐ Agent☐ Addressee

##### B. Received by (Printed Name)

##### C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

##### 3. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input checked="" type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

## First Class Mail

- Complete items 1, 2, and 3.
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1. Article Addressed to:

Platinum Medical Management Inc  
801 S Highway 78 Ste 307  
Wylie TX 75098-4000

10704.01 (47)



9590 9402 5892 0049 9932 22

2. Article Number (Transfer from service label)

7020 3160 0000 9237 2172

A. Signature

X

*Jesse*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

*Jesse*

C. Date of Delivery

*9-1-23*

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☒ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation™

Resu

4-40647 Doc 40-1 Filed 06/19/24 Entered 06/19/24 15:02:02 Desc  
Notice of Filing Foreign Judgment Page 14 of 19



9590 9402 5892 0049 9932 22

**United States  
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

RICHARD C. DEBERRY  
McDONALD SANDERS, PC  
777 MAIN ST., STE. 2700  
FORT WORTH, TX 76102

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10





7020 1810 0001 8118 5670



US POSTAGE  
\$ 09.24  
First-Class  
Mailed From 76102  
07/14/2023  
032A 0061861681

## First Class Mail

10704.01 (47)

### McDonald Sanders

A Professional Corporation  
ATTORNEYS AT LAW  
777 Main Street, Suite 2700  
Fort Worth, Texas 76102

Platinum Medical Management Inc  
709 Business Way  
Wylie TX 75098

ATTN Brandon Dieters

## First Class Mail

#### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Platinum Medical Management Inc  
709 Business Way  
Wylie TX 75098  
Attn Brandon dieters

10704 01 (47)



9590 9402 7944 2305 4817 60

2. Article Number (Transfer from service label)

7020 1810 0001 8118 5670

#### COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input checked="" type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       |   |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

## First Class Mail

BC: 76102536675 2266N230184-00193  
UNABLE TO FORWARD  
NOT DELIVERABLE AS ADDRESSED  
RETURN TO SENDER  
NIXIE 731 FE 1 0008/18/23

0001 8118 5670



US POSTAGE  
\$ 09.24  
First-Class  
Mailed From 76102  
07/14/2023  
032A 0061861681

U/F

**First Class Mail**

10704.01 (47)

**McDonald  
Sanders**


*A Professional Corporation*  
ATTORNEYS AT LAW  
777 Main Street, Suite 2700  
Fort Worth, Texas 76102

Platinum Medical Management Inc  
709 Business Way  
Wylie TX 75098

ATTN Brandon Dieters



## First Class Mail

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	A. Signature <b>X</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to:  Platinum Medical Management Inc 709 Business Way Wylie TX 75098 Attn Brandon dieters  10704.01 (47)   9590 9402 7944 2305 4817 60	B. Received by (Printed Name)  C. Date of Delivery  D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from service label) <b>7020 1810 0001 8118 5670</b>	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input checked="" type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

First Class Mail

DuPont™ Tyvek®  
Protect What's Inside™

Survivor  
Quality Park Products

Jack #R1470  
Made in USA



US POSTAGE  
\$ 01.74  
First-Class  
Mailed From 76102  
07/17/2023  
032A 0061861681

**First Class Mail**

10704.01 (47)

**McDonald  
Sanders**

*A Professional Corporation*  
ATTORNEYS AT LAW  
777 Main Street, Suite 2700  
Fort Worth, Texas 76102

Platinum Medical Management Inc  
c/o Brandon Dieters  
709 Business Way  
Wylie TX 75098

**First Class Mail**

**First Class Mail**



## First Class Mail

10704.01 (47)

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Wylie TX 75098-4000

## First Class Mail

## First Class Mail